

APPENDIX D
NATIONAL HISTORIC PRESERVATION ACT COMPLIANCE

This page intentionally blank

**Scope of Work for the Cultural Resources Inventory
for the
Fort Peck Flow Modification
Missouri River Downstream
from Fort Peck, Montana
Valley, Roosevelt, McCone, and Richland Counties, Montana
*Revised 14 Jun 01***

Introduction

The Corps of Engineers, Omaha District, is planning to release warm water from Fort Peck Lake when there is sufficient water for a release. The purpose of this release is to change the flow pattern, increase turbidity, and warm the water in the Missouri River downstream of the dam in order to stimulate the pallid sturgeon to spawn. The pallid sturgeon is an endangered species.

To accomplish this release, there will be both a mini-test (possibly spring 2002) and a test (a larger release of water through the spillway later, possibly in the spring of 2003). The inventory of cultural resources downstream of the dam is to locate, identify, and evaluate the resources which may be impacted by the proposed mini-test and test.

Methodology

The purpose of this inventory is to locate, identify, and make a recommendation concerning the significance of cultural resources. The inventory will consist of a pedestrian survey of a strip of land 150 feet wide on both sides of the Missouri River. National Register testing will be conducted at any site determined to have the potential to be significant under the National Register criteria. The location of the inventory is from River Mile marker 1763 (the end of the spillway from Fort Peck Dam) to the Highway 85 bridge (River Mile marker 1553), or 210 river miles in length. Cultural resources, for this work, are defined as above or below surface cultural occupation areas, where people lived, worked, or hunted and left material remains which are defined as sites. Cultural resources can include historic sites, historic buildings, prehistoric sites, river crossings or fords, processing areas, trails, roads, bridges, and any other parts of the landscape which have been modified by humans. (Traditional Cultural Properties, areas where traditional items are collected or where worship occurs or visions are sought, will be identified under another Scope of Work.) The work shall consist of three parts, the literature and records search, the field work/pedestrian survey/National Register testing, and writing the report.

I. The literature and records search shall consist of a thorough review of the available records. This search shall include, but shall not be limited to: Tribal records, the Tribal Museum, the Archeological Records office at the University of Montana at Missoula, the State Historical Society, the county courthouses, the local and regional libraries, interviews with individuals knowledgeable in local and regional history, and other individuals who may be helpful in obtaining information about the history and prehistory of the survey area.

II. The field work shall be conducted by pedestrian survey. Crew members are to maintain a survey interval of no greater than 30 meters while conducting this survey. Once a site is located, all artifacts visible on the surface will be pin-flagged and recorded. Diagnostic artifacts will be plotted and collected. Shovel test pits or probes shall be dug to determine the areal extent of the site, unless the crew chief can determine approximate boundaries in another manner. If a site appears to have the potential to be eligible for the National Register of Historic Places, sufficient documentation to support this assessment will be collected.

The field work portion of this contract shall consist of the following.

a. Incorporate relevant research questions into the existing project whenever possible. Use recovered data to address research questions. Develop or amend research questions if appropriate, based on recovered information. These discussions will be included in the final project report.

b. Undertake the following activities as part of site inventory and evaluation actions.

1. Include daily entries in field notes (i.e. project map and field notebooks) on the amount of work accomplished and test results.

2. Map all known and newly discovered sites and isolated finds. Use shovel test pits or soil probes to determine the probable boundaries of the site, unless the crew chief can determine the site boundaries by another method. Make recommendations concerning significance to the National Register of Historic Places. If available to the contractor, at least one (1) Global Positioning Station (GPS) reading will be taken at each site.

3. Indicate all shovel test pits and/or soil probes on the site maps. Map any special findings such as artifact concentrations, features, and diagnostics. Map all erosional and man-made (e.g. illegal excavations) impacts.

4. Employ current archeological standards and methods for the pedestrian survey, shovel tests, and significance determinations.

5. An inventory of cottonwood trees shall be conducted as part of the contract. The trees shall be counted and inventoried. A very brief (one or two sentences) description of the general health of the population shall be included with this inventory.

NOTE: The following policies shall be adhered to during fieldwork:

1. Human remains: If human remains are discovered, they shall not be disturbed but protected in place. The contractor shall immediately notify the Tribes and the Corps of Engineers (Curley Youpee at 406-768-5155, ext. 392, Carl Fourstar, at 406-768-5719,

or Becky Otto at 402-221-3070). The Corps and the Tribe will follow identified internal procedures to address the situation. (This will include notifying the appropriate Indian Tribes, law enforcement, and coroner's offices.) If the remains are determined to be Native American, the Corps shall comply with the terms set forth in the Native American Graves Protection and Repatriation Act (NAGPRA) and the Montana State Law.

2. Artifacts: If, in the opinion of the contractor, diagnostic artifacts/features located outside the area of evaluation are in immediate danger of loss or damage for whatever reason(s), those artifacts shall be collected but only after all readily available and pertinent provenience data on each item is recorded. The reason(s) for collection shall be noted as part of the data accompanying each artifact.

The Contractor shall arrange a mutually acceptable date and time to either meet or have a conference call with the Corps' archeologist and contract specialists to review the Government Statement of Work and Contractor Proposal. The purpose of the meeting or conference call will be to clarify tasks and methods and to minimize misunderstandings that might arise over the course of the contract.

Government-furnished materials shall consist of the following: four sets of maps from the end of the spillway near Fort Peck Dam, Montana to the Highway 85 bridge near Williston, North Dakota. These maps will consist of a base map of 7.5 minute USGS topographical quadrangles with an overlay of infrared photographic coverage along the river (1998 data). An additional set of these maps will be provided to the Water Resources office of the Fort Peck Tribes.

III. The Final Report

The final report shall provide an overall discussion of the project, data analyses, and results. This shall include a brief summary of the environment and culture history (i.e. prehistory, ethnohistory, and history) as well as suggestions on research questions and approaches. The sites shall be discussed in terms of site type, location, National Register significance, and the contractor's recommendation concerning impacts to the site.

The contractor will:

a. Prepare a final comprehensive project report summarizing the field work, site data, significance determinations, and results of the inventory. The report shall be prepared according to American Antiquity standards.

b. The report shall include but not be limited to a title page, executive summary, introduction, table of contents, text addressing the results of the Missouri River downstream assessment, and a bibliography. The executive summary shall include results, major findings, statements of significance, and management recommendations.

The title page shall note that the report was done in partial fulfillment of the Corps' contract.

c. Text materials shall be typed on good quality bond paper 8.5 by 11 inches with a 1.25-inch binding margin on the left side, .75 inch on the right side, 1 inch at the top, and 1 inch at the bottom.

d. All pages, figures, and tables shall be of professional quality and shall be consecutively numbered throughout the report. Where applicable, they shall have titles and appropriate explanatory notes.

e. Two copies of the draft report of findings shall be submitted by July 30, 2001. The Government shall review the document and provide comments within 15 days after receipt of the draft report. The Government reserves the right to have the report reviewed by other qualified archeologists and to include their comments as part of the Government's.

f. Three bound copies of the final report plus one unbound, camera ready copy incorporating the government's comments shall be submitted no later than 15 September, 2001.

g. All deliverables shall be submitted in a timely fashion to the following address:

US Army Corps of Engineers
106 South 15th Street
Omaha, NE 68102

ATTN: Becky Otto
CENWO-PM-AE

IV. Conditions

a. The Contractor shall be able to demonstrate the capabilities of key project personnel (e.g. principal investigator, field and laboratory directors, etc.) to successfully complete all phases of identified work. (The Secretary of the Interior's "Standards and Guidelines for Archeological and Historic Preservation" shall be followed in determining qualifications.) The Contractor shall submit the names and resumes of key personnel (i.e. principal investigator, field directory, etc.) to be used on this project. To the maximum extent possible, the Contractor will use students from the Fort Peck Community College as crew. These people will be trained by the Contractor to recognize artifacts and features in the field.

b. All collected and generated project materials (e.g. artifacts, field notes, maps, photographs, slides, etc.) shall be the property of the landowner. The Contractor shall properly clean, label, and box all such materials. The Corps will arrange for the curation of the project collection. If the landowner is agreeable, the artifacts can be curated with

the Fort Peck Tribes. If this is the case, the Contractor shall insure the collection meets the standards outlined in 36 CFR Part 79 prior to submitting them for curation. If the landowner wishes to retain the artifacts, they must be returned to the appropriate landowner.

c. Prior to completion of the project, the Contractor shall submit a listing (inventory sheet) of all project data, artifacts, and materials. This shall include an estimate in cubic feet of the total volume of the project collection.

d. All work (i.e. both field and laboratory/office) shall be subject to inspection by representatives of the Corps. Inspections will be done to track contractor progress, verify that identified tasks are being performed as stated, and identify any problems or issues impeding the successful completion of the contract. If inspections indicated that the work is not being performed in accordance with applicable laws and regulations and the approved proposal/research design, the contractor shall, at no additional cost to the Government, suspend work and immediately develop and undertake appropriate corrective actions approved by the Government.

This page intentionally blank

Fort Peck Flow Modification
Traditional Cultural Properties Inventory
Along the
Southern Boundary of the Fort Peck Reservation

I. BACKGROUND

A. The Corps of Engineers, Omaha District, is planning to release warm water from Fort Peck Lake during the spring of 2001. The purpose of this release is to warm the water in the Missouri River downstream of the dam in order to stimulate the pallid sturgeon to spawn. The pallid sturgeon is an endangered species.

In order to consider this release idea, there will be both a mini-test (spring 2001) and a test (a larger release of water through the spillway in spring of 2002). The inventory of Traditional Cultural Properties downstream of the dam is to locate, identify, and evaluate the resources, which may be impacted by the proposed mini-test and test.

B. In recent years, regulations for cultural resources protection have been enacted that require the consideration of Traditional Cultural Properties (TCP) when Federal agencies evaluate the effects of their actions. The proposed work will consist of an inventory of all Traditional Cultural Properties (such as sacred sites, traditional gathering areas, or other important places) within the area affected by the proposed tests.

II. PROJECT DESCRIPTION

A. The work to be accomplished by the Contractor shall consist of Phase II of a cultural resources preliminary survey of all TCP sites within sight of the Missouri River.

B. The objectives and purpose of the preliminary investigation are to identify, record, and locate through the use of GPS all TCP sites in the specified area. For the purpose of this contract cultural resources are defined as prehistoric and historic traditional cultural properties. This inventory can include prehistoric or historic sites, areas where there are identifiable features, or areas where no features are visible.

C. The work will consist of the following:

1. Literature and Records Search: A comprehensive literature and records search for the project area to be conducted prior to field investigations. This will include interviews with tribal elders, a review of the available literature, and consultation with anyone else knowledgeable in this area.

2. A CRP Locational Survey, which will consist of the following:

a. Pedestrian surface surveys with a maximum of 30 meter intervals and 30 meter transects. This interval may vary depending upon field conditions, site density, or site size.

b. The location of each cultural resource through the use of GPS equipment, and the entering of such information into a mapping database.

c. Should human remains be discovered, the Contractor must immediately contact the Omaha District to comply with the Montana State Burial law and any agreements with area Tribes. Any required documentation shall be provided to the District.

3. A Preliminary Survey Report which explains the approach, methods, and results of the investigation, and makes recommendations for further work, will include the following:

a. The contractor must keep standard records that include field notes and maps, site survey forms, and GPS data.

b. Specific Traditional Cultural Properties and archeological site locations will be included in an appendix, to be submitted only to the Fort Peck Tribes, and to the Corps, as federal agencies are subject to Title 16 USC § 470hh, concerning confidentiality of information with regard to Traditional Cultural Properties and archaeological resources. Reports for general distribution (if any) will not contain specific maps.

III. CONTRACTOR, INSTITUTIONAL, OR CORPORATION QUALIFICATIONS

As part of the documentation, the contract proposal must include documentation for the main supervisory personnel to support their qualifications for the project.

IV. REPORT SPECIFICATIONS

A. The report shall include the following:

1. A brief summary of the findings, conclusions, and recommendations of the report.
2. Table of Contents.
3. Introduction, which shall include the Government's purpose for the preliminary location survey, as delineated in I.B.
4. An updated regional cultural history of the project area based on the data recovered and a summary of the environmental setting and its relationship to the prehistory of the region.
5. Previous work, as revealed in the literature and records search.
6. Results of the investigation shall include:

a. Description of field methods.

b. GIS data in meta-format, maps, and any photographs or drawings of landscape or artifacts.

7. Bibliography

8. Appendices

B. The report will be divided into easily discernible chapters, with appropriate page separations and headings. The report text will be typed, single-spaced on good quality bond paper, 8.5 inches by 11.0 inches, with 1.5 inch left and bottom margins and 1 inch top and right margins.

C. The report will use correct English grammar, and there will be no typographical errors.

D. All pages will be numbered consecutively, including the bibliography and attachments.

E. Any illustrations that might be done must be clear, legible, self-explanatory, and of sufficiently high quality to be reproduced easily by standard photocopy equipment. All photographs or drawings should be clear, distinct prints or copies with captions and a bar scale.

F. Maps shall be clean, clear, and easily reproducible. Maps must be labeled with a caption/description, north-oriented to the top of the page, and will contain a scale, north arrow, legend, township and range, map size and date, and map source (USGS quad name or published source). The features to be illustrated, such as site locations, shall stand out clearly against the other features on the map.

G. The report shall be organized in such a way that sensitive maps and information are contained in the appendix and can be removed from the report for review by the general public.

H. The final report shall include all Smithsonian Trinomial system site numbers.

I. Any photographs that might be taken shall be of good composition and free of extraneous material. Original prints (not machine copies) shall be in each copy of the report, securely bound into the report and identified as to subject, location, and date.

V. DELIVERABLES AND PERFORMANCE

A. Work Schedule

1. The Contractor is expected to pursue the study in a professional manner to meet the target dates. Six copies of the completed draft report shall be submitted to the Omaha District office. The draft report will be edited by the Contractor for spelling and grammatical errors prior to submittal.

2. The draft report will be completed by 30 July 2001. The Contractor shall include the review comments into the final report and submit the final report to the Government no later than 15 September 2001.

3. The Contractor shall complete the entire work and service to the Government's satisfaction by 15 September 2001.

4. The Contractor shall produce an original and six copies of the report for submission to the Omaha District office at the following address:

U.S. Army Corps of Engineers, Omaha District
ATTN: CEMRO-PM-AE
106 South 15th Street
Omaha, Nebraska 68102

B. Method of Payment

Payment for services rendered will be made as follows: Fifty percent (50%) of the contract price is payable upon the completion of the fieldwork. Twenty-five percent (25%) of the contract amount is payable upon receipt of the draft report by the Government. The remaining 25% will be paid upon the Government's acceptance of the final report.

February 6, 2002

Planning, Programs, and Project Management

Mr. Stan Wilmoth
Montana Historical Society
1410 Eighth Avenue
P. O. Box 201202
Helena, Montana 59620

Dear Mr. Wilmoth:

Due to new information from the engineering analysis of the Fort Peck flow modification mini test (mini test), we are again writing concerning the cultural resources compliance for the mini test.

Engineering analysis estimates that the average annual erosion rate will not be affected by the mini test, with the exception of the land directly across from the spillway. Areas which are currently eroding will continue to erode; areas which are not subject to erosion will not be affected. An archeological inventory has discovered that there are no sites directly across from the spillway. We recommend that the proposed mini test be considered for a No Historic Properties determination. Note: this concerns the mini test only. Full test coverage and compliance for the Missouri River Master Manual is addressed by the staff at our Regional Office.

Because of our commitment to the Fort Peck Tribes, we will continue to fund the cultural resource inventory.

Thank you for your assistance on this matter.

Sincerely,

Candace M. Gorton
Chief, Environmental, Economic and
Cultural Resource Section
Planning Branch

Copy Furnished:
CENWO-SA-NA (Hall)

This page intentionally blank



MONTANA HISTORICAL SOCIETY

225 North Roberts ♦ P.O. Box 201201 ♦ Helena, MT 59620-1201
♦ (406) 444-2694 ♦ FAX (406) 444-2696 ♦ www.montanahistoricalsociety.org ♦

cmg 2/26/02
1. ~~Harry~~
2. Becky O.

Tuesday, February 19, 2002

Becky Otto
COE Omaha District
106 South 15th Street
Omaha Nebraska 68102-1618

Re: Mini Test Ft. Peck Flow Modification

Dear Becky:

We concur with your finding of No Properties Affected. Please submit a copy of the referenced negative cultural resource inventory when it is complete.

Stan Wilmoth, Ph.D.
State Archaeologist/Deputy SHPO

File COE 2002



STATE HISTORIC PRESERVATION OFFICE ♦ 1410 8th Ave ♦ P.O. Box 201202 ♦ Helena, MT 59620-1202
♦ (406) 444-7715 ♦ FAX (406) 444-6575

This page intentionally blank

RESOLUTION #2262-2001-10

TRIBAL GOVERNMENT
Administrative

WHEREAS, The Fort Peck Tribal Executive Board is the duly elected body representing the Assiniboiné and Sioux Tribes of the Fort Peck Reservation and is empowered to act on behalf of the Tribes. All actions shall be adherent to provisions set forth in the 1960 Constitution and By-Laws and Public Law #83-449, and

WHEREAS; the Army Corp of Engineers has proposed a Spring Rise on the Missouri River; and

WHEREAS; the Tribal Executive Board has requested a formal consultation with the Army Corp of Engineers and the Fish & Wildlife Programs; and

WHEREAS; this consultation will be to discuss the Revised Environmental Impact Statement; now

THEREFOR BE IT RESOLVED; that the Tribal Executive Board does hereby request a formal consultation with Army Corp of Engineers and the Fish & Wildlife Programs to discuss the Revised Environmental Impact Statement for the proposed Spring Rise on the Missouri River.

CERTIFICATION

I, the undersigned Secretary Accountant of the Tribal Executive Board of the Assiniboiné and Sioux Tribes of the Fort Peck Indian Reservation, hereby certify that the Tribal Executive Board is composed of 12 voting members of whom 11, constituting a quorum were present at a Special Board meeting duly called and convened on this 8th, day of October, 2001 that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 10 for.

APPROVED:


Secretary-Accountant/Secretary


Chairman/Vice Chairman
Fort Peck Tribal Executive Board

Superintendent
Fort Peck Agency

This page intentionally blank



**STATE
HISTORICAL
SOCIETY**
OF NORTH DAKOTA

mg 7/22/03
1. Larry
2. Becky D.

John Hoeven
Governor of North Dakota

July 22, 2003

**North Dakota
State Historical Board**

John E. Von Rueden
Bismarck - President

Diane K. Larson
Bismarck - Vice President

Marvin L. Kaiser
Williston - Secretary

Albert I. Berger
Grand Forks

Sam Otte Coleman
Director
Tourism Division

Gerold Gerntholtz
Valley City

Kathi Gilmore
State Treasurer

Alvin A. Jaeger
Secretary of State

Chester E. Nelson, Jr.
Bismarck

Douglas Pichal
Director
Parks and Recreation
Department

David A. Sprynczynatyk
Director
Department of Transportation

A. Ruric Todd III
Jamestown

Merlan E. Paaverud, Jr.
Director

Accredited by the
American Association
of Museums

Candace M. Gorton, Chief
Environmental, Economics and Cultural Resources Section
Planning Branch
Department of the Army
Corps of Engineers, Omaha District
106 South 15th Street
Omaha, NE 68102-1618

ND SHPO Ref.: 90-0208, Fort Peck Flow Modification Project.

Dear Ms. Gorton:

We have reviewed your agency's correspondence of July 8, 2003 for Project: 90-0208, proposed Fort Peck flow modifications to increase the water temperature in the Missouri River downstream from Fort Peck Dam.

We concur that this proposed undertaking will not affect any National Register or National Register eligible sites in North Dakota.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in any further correspondence for this specific project. If you have any questions please contact Duane Klinner at (701) 328-3576.

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer
(North Dakota)

This page intentionally blank

CULTURAL SITE INFORMATION

Cultural Resources Located in Montana

Site 24DW287/24RL204/24RL300/32MZ1174 is the Lower Yellowstone Irrigation Project. It has many site numbers, as it is located in several Montana and North Dakota Counties. Segments of this irrigation system are located within the inventory area. As it helped open up eastern Montana and western North Dakota to farming in the early part of the 1900s, the canal system is recommended as eligible for the National Register of Historic Places. The flow modification (minitest and test) will not impact this site.

Site 24MC1 is a bison processing camp and occupation site, located on an upland terrace on the south side of the Missouri River. This site is also recommended eligible for the National Register, based on its ability to yield additional information concerning communal bison procurement on this part of the plains. This site will not be impacted by the flow modification.

A remnant of the Great Northern Wiotia to Fort Peck Railroad has been recorded as 24MC97. This site is eligible for the National Register of Historic Places (NRHP) under Criterion A, having contributed to the broad and sweeping patterns of the history of this country. It was a key element for the successful construction of Fort Peck Dam and Powerhouse, already listed on the NRHP. It is located about 49 feet above the current water levels. It will not be impacted by the Fort Peck Flow modification.

24MC29/24VL590 are the site numbers assigned to Fort Peck Dam, which spans the Missouri River between McCone and Valley Counties. This dam, the first of Franklin D. Roosevelt's New Deal projects, is listed on the NRHP as a National Historic Landmark. Besides the dam itself, there are many other features that contribute to the landmark nomination such as the powerhouse, the spillway, the intake tunnels, and the gatehouses. The dam will not be adversely impacted by the proposed flow modification. A monitoring program will determine if there will be any impacts to the spillway during the minitest.

The Carlisle Site is Site 24RL246, located in Richland County. It is a prehistoric bison-processing site recorded in 1997 by Brumley. The site was first recorded when the Corps was approached by Richland County to help them prevent their county road from being eroded by the Missouri River. At that time, it was exposed in the cutbank. Subsequent testing indicated that it was eligible for the NRHP. The site was not relocated during the recent inventory. The contractor suggested that the site be revisited and re-evaluated.

24RL247 is known as the Gallinger Ditch, an earthen irrigation ditch. It was probably built around the 1924-1935 time frame to provide irrigation for the DT Ranch. The DT Ranch was established by Joshua S. Day, a successful Sidney banker. Day ran large herds of cattle on his ranch, employing up to several dozen cowboys to manage his livestock. The site is not recommended as eligible for the NRHP as it does not meet any of the criteria.

Site 24RL248 was also recorded by Brumley in 1997, while investigating an area to be protected from bank erosion (please see also 24RL246). The site is described as containing two hearths, a bison processing area, and one historic foundation. The historic structure may have been part of a dugout dwelling. The prehistoric component of the site is eligible for the NRHP. This area has been stabilized for erosion control. There will be no impacts as a result of the flow modification.

The Snowden Bridge, Site 24RL86/24RL211, is a Parker through truss vertical lift bridge over the Missouri River. This Great Northern Railway Bridge was built in 1913 by the Waddell and Harrington engineering firm of Kansas City, Missouri. The vertical lift was designed to allow large ship traffic under the bridge. Later converted to accommodate vehicular traffic, a signal system was established and a toll was charged. The bridge is no longer in use. It is listed on the NRHP. The minitest for the flow modification will not impact the Snowden Bridge.

The Fort Union Trading Post National Historic Site (24RV50/32WI17) is the site of one of the most significant fur trading posts on the northern plains. Built in 1828 for the American Fur Company, the fort dominated the fur trade for the next several decades. Many early scientists and explorers visited Fort Union on the journeys along the Missouri. The list of visitors to the fort is a veritable Who's Who of early 19th century frontiersmen including John J. Audubon, Prince Maximillian and Karl Bodmer, George Catlin, Father Pierre DeSmet, Charles Larpenteur, Edwin Denig, and Jim Bridger. The fort is listed on the NRHP as a National Historic Site. It will not be affected by the proposed minitest for the Fort Peck Flow modification.

24RV438 is the Lewis and Clark Bridge, also known as the Wolf Point Bridge or the Macon Bridge. It is a Pennsylvania through truss bridge, built in 1930. It is still in active use and is currently listed on the NRHP. It will not be affected by the Fort Peck flow modification.

24VL1345 consists of a historic material scatter and terraces of the north bank of the Missouri River. It is near the town of Park Grove and may have been associated with individuals living nearby. It is not eligible for the NRHP, nor will it be affected by the flow modification.

Site 24VL1686 is a barge and slipway structure that was built for the construction of Fort Peck Dam. The barge is believed to be the remains of the four dredging units built in the early 1930s to slurry the hydraulic fill for the dam itself. Since it retains integrity of setting location, materials, and association, it is recommended as eligible for the NRHP. The barge remains will not be impacted by the proposed flow modification.

24MC401 is a barge located in the Missouri River. Like 24VL1686, this structure contributed to the New Deal construction of the Fort Peck Dam. With this association

and integrity of location, it is recommended as eligible for the NRHP. The Fort Peck Flow Modification will not impact this site.

Site 24MC402 is a prehistoric site with chipped stone debris, pottery, and bone. It is recommended for listing on the NRHP because it has the ability to yield additional information important to the prehistory of the northern plains. This site may be impacted by the proposed flow modification. A monitoring program will be in place during the minitest to determine if there are any impacts.

24MC403 is also a prehistoric site. Located on the southern bank of the Missouri River, it contains considerable bison bone. This may be the location of a bison kill site. The site is recommended for the NRHP, based on the surface observations and interviews with key informants. It will not be impacted by either the minitest or the test for the Fort Peck flow modification.

24MC405/24VL1734 is a set of graded slopes cut into both sides of the river at the former location of a ferry crossing (Government Land Office maps, 1908). No other indications of the ferry remain. It is not recommended as eligible for the NRHP. It will not be impacted by the flow modification.

Site 24MC406 is a historic material scatter approximately 100 feet from the riverbank. Local informants have identified the area as either the remains of the short-lived Fort Charles (a trading post 1861-1864) or an old stockade. It may also be the remains of "Indian log cabins", as identified on the 1895 Missouri River Commission maps. It may be eligible for the NRHP with further testing. At this time the eligibility is unknown. The site is far enough from the river that it will not be impacted, in either case.

24RL254 is a historic house, an associated outhouse, and a collapsed shed. Located on the southern floodplain of the Missouri River, the site is approximately 13 feet from the river cutbank. It does not retain integrity and is not recommended for eligibility to the NRHP.

A historic latrine has been recorded as 24RL301. This wood frame outhouse probably dates to 1916 but is not recommended for NRHP eligibility.

Site 24RL302 is a historic trash scatter. It is not recommended for NRHP eligibility.

24RV597 is a prehistoric cultural material scatter. Bison bone and chipped stone flaking debris were identified on the surface. Based on the density and variety of surface debris, the site is recommended as eligible for the NRHP, with the ability to yield additional information. A cutbank which leads to the Missouri River is located approximately 33 feet to the south of the site. It will not be impacted by the proposed flow modification.

Site 24RV599 is a set of 17 wood pylons, likely the remains of a temporary bridge used to construct the Lewis and Clark Bridge. As this structure has lost its integrity, it is not recommended for NRHP eligibility.

24VL1709 is the Fort Peck Irrigation Project, part of which is located within the inventory area. The irrigation project consists of two units, the Wiota Unit and the Frazer-Wolf Point Unit. The total system has the potential to irrigate approximately 25,000 acres of farmland. The site retains integrity of setting, design, location, materials, workmanship, feeling, and association. It is recommended as eligible under Criterion A. It will not be impacted by the flow modification.

Site 24VL1728 is a prehistoric cultural material scatter along a steep cutbank on the north side of the Missouri River. Knife River Flint and Tongue River Solificied Sediment make up the flaking debris at the site. Fire-cracked rock and bison (?) bone are also present. This may have been a small encampment. This site is recommended as eligible for the NRHP under Criterion D, the ability to yield additional information important to the prehistory of the northern plains. This site may be impacted by the flow modification. A monitoring program will determine if there are any impacts during the minitest.

24VL1729 is a historic trash scatter. It is not recommended as eligible for the NRHP.

Site 24VL1730 is a prehistoric cultural material scatter. The site has already been impacted by a two-track road and cultivation. It is unlikely that this site retains enough integrity for significance. It is not recommended as eligible for the NRHP.

24VL1731 is a historic trash scatter along two terraces of the Missouri River. It is not recommended as eligible for the NRHP.

Site 24VL1732 is a dumping ground for cars. Eight or nine 1930s-1940s abandoned cars and numerous associated car parts comprise the site. Remnants of an old wagon and wagon wheel are also located at the site. The site is not recommended as eligible for the NRHP.

24VL1733 is a historic cultural material scatter, probably associated with an industrial complex located west of the Fort Peck boatyard. Further testing is recommended to determine if the site can be recommended for the NRHP.

24VL1735 consists of wooden pylons and a large historic cultural material scatter located on an island. The pylons measure about 1 foot in diameter and are 18 feet tall. It is likely that these pylons are the remains of a dredge pipe support structure. Additional testing is recommended to determine whether this site can be recommended as eligible for the NRHP.

Cultural Resources Located in North Dakota

The Mondrian Tree Site, 32MZ58, is already listed on the NRHP. It is a multi-component cultural material scatter and has been occupied intermittently for approximately 5000 years. Dennis Toom and Mike Gregg (1983) excavated the site

during the construction of the Northern Border pipeline in the early 1980s. Much of the site was impacted by pipeline construction. A gaging station and an irrigation ditch have impacted the rest of the site. It has been impacted by the pipeline but will not be impacted by the proposed flow modification.

Fort Buford, 32WI125, was an Army fort from 1867 to 1895. Originally constructed as a base for the protection of Euroamerican travelers, it was also strategically placed at the confluence of the Missouri and the Yellowstone Rivers. From this vantage point, the soldiers could also try to stem the flow of guns and liquor to the Indians, as well as establishing a staging area for the U.S. military campaigns against the Sioux and Northern Cheyenne. Finally, it was a place where Indian prisoners were assembled before they were transported to Fort Yates. Soldiers from the fort were also given the tasks of preventing cattle rustling and protecting the construction workers who were building the Northern Pacific railroad. The fort is listed on the NRHP. Since no cultural materials were found within the flow modification corridor (150 feet wide), the proposed undertaking will have no effect on the site.

A water-pumping station and a segment of irrigation canal are recorded as 32WI56. This site is part of the Buford-Trenton irrigation project. It is recommended as eligible for the NRHP, having been built in the early 1900s and retains considerable integrity. Irrigation enabled Euroamericans to settle the west and begin farming and ranching. This site will not be impacted by the proposed flow modification.

Site 32WI903 consists of a disturbed human skeleton with associated bison bone along the north bank of the Missouri River. The remains were found near the base of a back-dirt pile that was the result of excavation of a new house foundation. The North Dakota State Historic Preservation Office, the McKenzie County coroner and sheriff were contacted. The remains were given to the State archeologist for repatriation. The NRHP eligibility of this site is unknown. It has been severely disturbed or destroyed by construction activities. If anything remains of the site, it may be recommended as a Traditional Cultural Property.

32WI904 consists of six features: a relocated ~1910 house, a playhouse (circa 1992), a garage (circa 1992), a dog kennel (circa 1992), a tool shed (circa 1992), and a prefab shed (also circa 1992). The house has been moved from Epping, then to Williston, then to its current location, according to the owner. As such it does not retain integrity of location, design (numerous additions), setting, materials, workmanship, feeling, association, and no longer conveys its historic character. All the other structures are of recent origin. This site is not eligible for the NRHP as the house does not retain integrity of setting. It will not be impacted by the proposed flow modification.